

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**  
**Act 451 of 1994**

**324.5306 Intended use plan; preparation and submission; purpose; public participation; changes in plan; contents of plan; notice of approval; notification of municipality; information to be provided; schedule.**

Sec. 5306. (1) The department shall prepare and submit an intended use plan annually to identify proposed annual intended uses of the fund, and to facilitate the negotiation process that the department may conduct with the United States environmental protection agency for the capitalization grant agreement and schedule of payments to be made to this state under the federal water pollution control act.

(2) The department shall provide for a public participation process that requires not less than 1 public hearing for the intended use plan. The department may make changes in the intended use plan without holding additional hearings in response to the comments received from the United States environmental protection agency and through the public participation process.

(3) The intended use plan shall include all of the following:

(a) A copy of the state's priority lists.

(b) A description of the long- and short-term goals of the fund.

(c) The proposed fundable range and an allocation of the funds available for projects on the nonpoint source priority list and for the sewage treatment works projects and stormwater treatment projects priority list.

(d) A description of the projects that are on the priority lists, including project categories and types, applicable discharge or enforceable requirements, proposed terms of the assistance, including a schedule of estimated disbursements of funds, and the names of the municipalities proposed to receive assistance.

(e) Any necessary assurances or proposals indicating how the state intends to meet applicable federal requirements.

(f) A description of the criteria and method for distribution of the fund.

(g) A description of the public participation process followed in the development of the intended use plan and the results of that process.

(h) Any other information needed to comply with the federal water pollution control act.

(i) Any other information considered appropriate by the department.

(4) Upon notice from the United States environmental protection agency that the intended use plan is approved, the department shall notify each municipality of its inclusion on the intended use plan and shall further provide copies of the sewage treatment works projects and stormwater treatment projects priority list, the nonpoint source project priority list, and the intended use plan to all persons requesting such information. Following notification, the department shall establish, with the concurrence of the municipality, a schedule for project plan approval, submittal of a complete application for assistance, and approval of plans and specifications.

**History:** 1994, Act 451, Eff. Mar. 30, 1995.

**Popular name:** Act 451

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